

BOOK REVIEWS

THE CIVIL CODE OF THE PHILIPPINES—ANNOTATED AND COMMENTED ON. By Vicente J. Francisco. *East Publishing Company*. Four Volumes, 4,832 pages. 1953 Edition. P123.60.

Since the effectivity of the New Civil Code, several of the country's more well-known professors of Civil Law have published their comments and annotations on this vitally important, sometimes controversial, codification of substantive civil law in the Philippines. The New Civil Code, it will be recalled, was born of the "primary need for immediate revision of all existing substantive laws of the Philippines and of codifying them in conformity with the customs, traditions and idiosyncracies of the Filipino people." Together with the introduction of new ideas and principles into Philippine jurisprudence came conflicts with regard to the interpretation to be given the innovations and modifications that were engrafted into the New Civil Code.

In undertaking this massive work (over 4,000 pages), Dean Francisco was inspired by the need for "a more profound exposition" of the provisions of the new Code, regulating, as it does, some of the "most important rights of the country's citizenry".

The author is well-qualified to the task, for, as a Senator, he was Chairman of the Code Committee of Congress at the time Republic Act No. 386 was passed.

Dean Francisco gives an indication of his mode of treatment when he writes in his preface: "In looking into a certain law, one stops at the threshold if he looks no further

than the law's provisions, for what he sees there, would, in most instances, only tend to mislead. Provisions standing alone are hardly comprehensible; they are as drab and as wanting in significance as scattered beads or disconnected links. It is only when their underlying philosophies are considered that they acquire clarity, and only then that their relations to other provisions become comprehensible."

To the task of expounding the underlying philosophies of the New Civil Code, the author has applied himself well. A notable feature of this work consists in that criticisms of new provisions of the Code by the Bench, Bar and local commentators have been included. This is as it should be, in order to give the reader a wider perspective of the meaning and significance of those provisions, considering that the Supreme Court has not as yet had opportunity to construe them.

Another noteworthy feature of this work is, as the author mentions in his preface, the discussion of the philosophical background of some provisions and their analysis by renown Spanish legal commentators as well as contemporary members of the Code Commission; also, references to American authorities are made whenever appropriate and helpful to elucidation.

To Philippine legal literature, this work is a welcome and worthy addition.

---

THE REVISED PENAL CODE—ANNOTATED AND COMMENTED ON.  
By Vicente J. Francisco. *East Publishing Company*. Three Volumes, 1,832 pages. 1953 Edition. P61.80.

"I have not contented myself with citing and reproducing controlling decisions, but have ventured farther afield, setting down principles and commentaries derived from philosophy and the jurisprudence of Criminal Law. I have done this...in the honest conviction that a collection of provisions of the law and decided cases must necessarily be haphazard, confusing, and in the end of little help or value, unless it is brought together and organized on the basis of prin-